

Serial No.: 10/008,831
Docket No.: 40655.5600

REMARKS

Applicant hereby replies to the Office Action dated June 25, 2004 within the shortened three month statutory period for response. Claims 1-14 were pending in the application and the Examiner rejects claims 1-14. Support for the amendments may be found in the originally filed specification, claims, and figures. No new matter has been introduced by these amendments. Reconsideration of this application is respectfully requested.

The Examiner rejects claims 2, 13, and 14 under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner asserts that claims 2, 13 and 14 contain the trademark/trade name "XML", therefore the claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. Applicant respectfully traverses these rejections. Applicant asserts that the Extensible Markup Language (XML) is not owned by any entity, as it was developed as an industry standard by the World Wide Web Consortium (W3C). XML is considered open source and therefore no entity may claim ownership or exclusive rights to the technology. The Examiner further states that "the trademark/trade name is used to identify/describe 'format' and, accordingly, the identification/description is indefinite". As previously described, "XML" is neither a trademark nor a trade name. XML, as known in the art, does not merely describe "format" as the Examiner contends, but is a standardized technology for uniform presentation of data. Therefore, the use of "XML" is within a claim is proper under 35 U.S.C. § 112, second paragraph because a trademark or trade name is not associated with XML. However, to expedite prosecution of this case, Applicant amends claims 2, 13 and 14 to eliminate the use of the term "XML".

The Examiner next rejects claims 1, 3-4, 9-12 under 35 U.S.C. § 102(b) as being anticipated by Pettus (US Patent Number 5,499,343). Specifically, the Examiner asserts that Pettus discloses all of the limitations of claims 1, 3-4, 9-12. Applicant respectfully traverses these rejections. Pettus is limited to providing pre-fabricated functionality for system level services which application developers can modify or override to create customized solutions, thereby avoiding the awkward procedural calls necessary with prior art application framework programs. Pettus expands on the concept of object oriented programming and application frameworks which provide pre-fabricated application components such as user interface

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elements and event triggered classes. Such frameworks are available for a number of different programming languages and operating systems.

Application frameworks allow application development to be more efficient because it provides a shell from which a developer can create classes to interface with the provided pre-fabricated classes. Pettus discloses expanding the framework concept by creating a framework for client/server computing where complex network services routines are provided, thus allowing a developer to tap into the prefabricated network services classes by supplying parameters to those classes.

While Pettus discloses that the network services framework may include a number of specialized functions for varying networking protocols, Pettus does not disclose exchanging information between disparate computing platforms. Even though Pettus does not disclose passing information between disparate computing platforms, this may be possible, as transmitting information using a network protocol between disparate computing platforms is known in the art. For example, the HTTP network protocol is often used to transmit information between a Internet server (UNIX, Linux, Windows NT, etc.) and any number of client platforms such as, for example, Mac OS, Windows, Linux, and UNIX. However, transmitting information between disparate computing platforms alone does not provide for communication between the disparate platforms. For example, a request for data from a UNIX server originating from a Mac OS client may be transmitted across a network and even received by the UNIX server, however the request would not be processed properly because the UNIX server would not understand the request. Communication can only occur when transmitted information can be disseminated by the receiving computing platform. As such, Pettus generally does not disclose or suggest "translating requests", and particularly, does not disclose "translating said request into a predetermined format readable by said second platform" as required by independent claims 1 and 10, respectively.

Claims 2-9 and 11-13 variously depend from independent claims 1 and 10, therefore are allowable for at least the reasons described above with respect to independent claims 1 and 10 as well as in view of their own respective features.

The Examiner next rejects claims 2, 13-14 under 35 U.S.C. § 103(a) as being unpatentable over Pettus (U.S. Patent Number 5,499,343) and further in view of the official notice. Applicant respectfully traverses these rejections. Claims 2 and 13 variously depend from

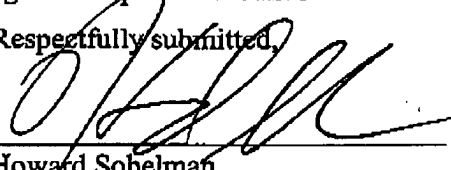
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independent claims 1 and 10, therefore are allowable for at least the reasons described above with respect to independent claims 1 and 10 as well as in view of their own respective features. With respect to independent claim 14, Pettus does not disclose or suggest "parsing" or "creating a formatting mark-up language format of the request".

The Examiner rejects claims 5-8 under 35 U.S.C. § 103(a) as being unpatentable over Pettus and further in view of Nakagawa et al (U.S. Patent Number 6,530,025). Claims 5-8 variously depend from independent claim 1, therefore are allowable for at least the reasons described above with respect to independent claims 1 and 10 as well as in view of their own respective features.

In view of the above remarks and amendments, Applicant respectfully submits that all pending claims properly set forth that which Applicant regards as its invention and are allowable over the cited prior art. Accordingly, Applicant respectfully requests allowance of the pending claims. The Examiner is invited to telephone the undersigned at the Examiner's convenience, if that would help further prosecution of the subject Application. Applicant authorizes and respectfully requests that any fees due be charged to Deposit Account No. 19-2814.

Respectfully submitted,


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